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September 9, 2024

**Via ECF & Email**

Hon. Katherine Polk Failla  
United States District Court  
Southern District of New York  
40 Foley Square, Rm. 2103  
New York, NY 10007  
Failla\_NYSDChambersnysd.uscourts.gov

**MEMO ENDORSED**

**Re: Peleus Insurance Company et. al. v. United Specialty Ins. Co.**  
**Our File: 40791**  
**Docket No: 1:24-cv-01398-KPF**

Dear Hon. Judge Failla,

We represent United Specialty Ins. Co. (“USIC”) in the above noted litigation. Please allow this letter to serve as the Parties’ Joint Request for an extension of the Case Management Order (“CMO”) and adjournment of the conference scheduled for October 3, 2024.

Pursuant to the CMO, USIC served a Demand for Interrogatories and Notice for Discovery and Inspection upon Plaintiff on May 30, 2024. When USIC did not received a response to these demands, USIC agreed to an extension of time within which Plaintiff was to respond to the demands to July 23, 2024. When no response was received, USIC then requested that Plaintiff advise when it would provide a response, and USIC received no response. In the meantime, USIC responded to Plaintiff’s discovery demands and demand for interrogatories on July 2, 2024.

Plaintiff served responses to USIC’s Interrogatories and Demand for Production of Documents on September 6, 2024. The delay in providing responses was due to difficulty obtaining certain responsive documents and intervening vacation schedules.

Depositions were due to be completed by August 16, 2024 and the fact discovery deadline is September 20, 2024. Plaintiff does not anticipate conducting any depositions but consents to an extension to permit USIC to notice depositions it requires.

In light of the above, the Parties request that the Deposition Deadline be extended to November 20, 2024 and that the next conference be adjourned to a date in November. The long request is due to my unavailability in much of October, due to personal reasons.

No previous requests for an extension of the discovery schedule have been made.

We thank the Court for its courtesies.

Very truly yours,



Sherri N. Pavloff

cc: VIA ECF:

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Application GRANTED. In light of representations made by the parties, the Court hereby ADJOURNS the discovery deadlines as follows:

- Depositions of fact witnesses shall be completed on or before **November 20, 2024**.
- Fact discovery shall be completed on or before **November 20, 2024**.
- Expert discovery shall be completed on or before **December 20, 2024**.

Accordingly, the Court hereby ADJOURNS the post-fact conference currently scheduled for October 3, 2024, to **November 22, 2024**, at **11:30 a.m.**

The parties are advised that these deadlines are final. The Court will not grant an additional request to extend the discovery deadlines in this matter absent particularly compelling circumstances.

The Clerk of Court is directed to terminate the pending motion at docket number 18.

Dated: September 10, 2024  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE